

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Senior Deputy Clerk.

**F033660      Zimmer v. Save Mart Supermarkets**

Cause called and argued by Thomas M. Giovacchini, Esq., counsel for appellant and by Charles Trudrung Taylor, Esq., counsel for respondent.

Cause ordered submitted.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Senior Deputy Clerk.

**F033493      People v. Lytle**

Cause called, Robert F. Kane, Esq., counsel for appellant not appearing and by Patrick J. Whalen, Esq., Deputy Attorney General, appearing for counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, April 19, 2001 at 1:30 P.M.

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**F035150**      **People v. Fairchild**  
The judgment is affirmed.  
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034739**      **People v. Moody, Jr.**  
**F035675**      **In re Dean Lester Moody, Jr.**

On this court's own motion and for good cause shown, the order filed in this court on June 27, 2000, consolidating the petition for writ of habeas corpus, filed by petitioner Dean Lester Moody, Jr., case no. F035675, with the appeal filed in People v. Dean Lester Moody, Jr., case No. F034739, is hereby vacated. All pleadings hereafter shall be filed in the case number assigned prior to the consolidation order.

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**F032870      People v. Santiago**

The judgment is affirmed. Ardaiz, P.J.

We concur: Buckley, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035073      Barker et al. v. Geringer**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F033390      Fischbach v. Dynamis, Inc.**

The judgment is affirmed.

As sanctions for bringing this frivolous appeal, attorney Mike McGuire shall pay \$3,000 to Dynamics, Inc. and \$3000 to the State of California in care of the clerk of this court. The clerk of this court is directed to deposit the sums payable to the State of California in the General Fund. All sanctions shall be paid no later than 15 days after the remittitur is issued.

Attorney Mike McGuire and the clerk of this court are each ordered to forward a copy of this opinion to the State Bar upon issuance of the remittitur. Levy, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034713      People v. Zaragoza**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F034713      People v. Zaragoza**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F032993      People v. Navarrette et al.**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F032993      People v. Navarrette et al.**  
The judgments are affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F033594      Perry v. Pima-Gro Systems, Inc., et al.**  
The judgment is affirmed. Costs to respondents. Harris, J.  
We concur: Dibiaso, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F034471      People v. Wingfield**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F034471      People v. Wingfield**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]